



7-18-07

Jm/s

PTO/SB/21 (04-07)

Approved for use through 09/30/2007. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

13

Application Number

10/804,679

Filing Date

March 18, 2004

First Named Inventor

Andrew D. SUTTON

Art Unit

1616

Examiner Name

K. George

Attorney Docket Number

263742002802

ENCLOSURES (Check all that apply)☒ Fee Transmittal Form + duplicate
(2 pages)☐ Fee Attached☒ Amendment/Reply (10 pages)☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☐ Information Disclosure Statement☐ Certified Copy of Priority
Document(s)☐ Reply to Missing Parts/
Incomplete Application☐ Reply to Missing Parts under
37 CFR 1.52 or 1.53☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a
Provisional Application☐ Power of Attorney, Revocation
Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) _____☐ Landscape Table on CD☐ After Allowance Communication
to TC☐ Appeal Communication to Board of
Appeals and Interferences☐ Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ Other Enclosure(s) (please
Identify below):> **Return Receipt Postcard**

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

MORRISON & FOERSTER LLP (Customer No. 25226)

Signature

Printed name

Shantanu Basu

Date

July 16, 2007

Reg. No.

43,318

I hereby certify that this paper is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 596705382 US, on the date shown below in an envelope addressed to:

MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: July 16, 2007

Signature: (Lori Sims)



FEE TRANSMITTAL For FY 2007		Complete if Known	
		Application Number	10/804,679
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Filing Date	March 18, 2004
		First Named Inventor	Andrew D. SUTTON
		Examiner Name	K. George
TOTAL AMOUNT OF PAYMENT		Art Unit	1616
(\$)		Attorney Docket No.	263742002802
100.00			

METHOD OF PAYMENT (check all that apply)	
<input type="checkbox"/> Check	<input type="checkbox"/> Credit Card
<input type="checkbox"/> Money Order	<input type="checkbox"/> None
<input type="checkbox"/> Other (please identify): _____	
<input checked="" type="checkbox"/> Deposit Account	Deposit Account Number: <u>03-1952</u>
Deposit Account Name: <u>Morrison & Foerster LLP</u>	
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)	
<input checked="" type="checkbox"/> Charge fee(s) indicated below	<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee
<input checked="" type="checkbox"/> Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17	<input checked="" type="checkbox"/> Credit any overpayments

FEE CALCULATION							
1. BASIC FILING, SEARCH, AND EXAMINATION FEES							
	FILING FEES		SEARCH FEES		EXAMINATION FEES		
		Small Entity		Small Entity		Small Entity	
Application Type	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)	Fees Paid (\$)
Utility	300	150	500	250	200	100	0.00
Design	200	100	100	50	130	65	0.00
Plant	200	100	300	150	160	80	0.00
Reissue	300	150	500	250	600	300	0.00
Provisional	200	100	0	0	0	0	0.00
2. EXCESS CLAIM FEES							
							Small Entity
Fee Description							Fee (\$)
Each claim over 20 (including Reissues)							50
Each independent claim over 3 (including Reissues)							200
Multiple dependent claims							360
							180
Total Claims							
<u>22</u> - 20 = <u>2</u> x <u>50.00</u> =							<u>100.00</u>
HP = highest number of total claims paid for, if greater than 20.							
Indep. Claims							
<u>3</u> - 3 = <u>0</u> x <u>100</u> =							<u>0.00</u>
HP = highest number of independent claims paid for, if greater than 3.							
3. APPLICATION SIZE FEE							
If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).							
Total Sheets		Extra Sheets	Number of each additional 50 or fraction thereof		Fee (\$)	Fee Paid (\$)	
<u> </u> - 100 =		<u> </u> /50 =	<u> </u> (round up to a whole number) x		<u> </u>	<u>0.00</u>	
4. OTHER FEE(S)							
Non-English Specification, \$130 fee (no small entity discount)							0.00
Other (e.g., late filing surcharge):							0.00

SUBMITTED BY			
Signature		Registration No. (Attorney/Agent)	43,318
Name (Print/Type)	Shantanu Basu	Telephone	(650) 813-5995
		Date	July 16, 2007

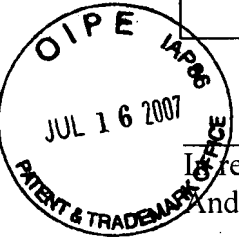
I hereby certify that this paper is being deposited with the U.S. Postal Service as Express Mail, Airbill No. **EV 596705382 US**, on the date shown below in an envelope addressed to: **Amendment**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: July 16, 2007

Signature: _____

Lori Sims
(Lori Sims)

Docket No.: 263742002802
(PATENT)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inter Patent Application of:
Andrew D. SUTTON et al.

Application No.: 10/804,679

Confirmation No.: 8165

Filed: March 18, 2004

Art Unit: 1616

For: SPRAY-DRIED MICROPARTICLES AND
THEIR USE AS THERAPEUTIC VEHICLES

Examiner: K. George

AMENDMENT IN RESPONSE TO NON-FINAL OFFICE ACTION

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INTRODUCTORY COMMENTS

This is in response to the non-final Office Action dated April 16, 2007, for which a response is due on July 16, 2007. Accordingly, this response is timely filed. Reconsideration and allowance of the pending claims, as amended, in light of the remarks presented herein are respectfully requested.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 5 of this paper.

07/16/2007 ATRINH 00000024 031952 10004679

01 FC:1202

100.00 DA